IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

WP(C).No. 7034 of 2007(K)

PETITIONER:

K.S.NINAN, AGED 52 YEARS,
S/O.K.N.ZACHARIA, KOZHIKUNNATHU HOUSE,
MANARCADU P.O., KOTTAYAM.

BY ADV. SRI.M.J.THOMAS

RESPONDENTS:

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1. THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES, OFFICE OF THE ASSISTANT REGISTRAR OF CO-OPERATIVE SOCIETIES, KOTTAYAM.

2. THE KOTTAYAM CO-OPERATIVE HOUSING SOCIETY LTD.NO.K.348, M.D.C. CENTRE, KOTTAYAM I REPRESENTED BY ITS SECRETARY.

3. THE SECRETARY, THE KOTTAYAM CO-OPERATIVE HOUSING SOCIETY LTD.NO.K.348, MDC CENTRE, KOTTAYAM-1.

BY ADV. SRI.P.N.PURUSHOTHAMA KAIMAL
SRI.MATHEW KORAH

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09/08/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 7034/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : PHOTO COPY OF THE PASS BOOK OF THE ABOVE LOAN ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER.

EXT. P2 : TRUE COPYOF THE DRAFT FOR RS.42,000/- DRAWN OF THE INDIAN OVERSEAS BANK.

EXT. P3 : TRUE COPY OF THE COMPLAINT SENT BY THE PETITIONER TO THE 1ST RESPONDENT ON 27.2.2007.

EXT. P4 : COPY OF LETTER DT. 15.5.07 FROM SECRETARY, KOTTAYAM CO-OPERATIVE HOUSING SOCIETY.

RESPONDENT'S EXTS:

EXT. R2 : THE TRUE PHOTO COPYOF THE PASS BOOK OF THE ABOVE LOAN ISSUED BY THE 2ND RESPAONDENT TO THE PETITIONER.

EXT. R2(a) : THE TRUE PHOTO COPIES OF THE REMINDERS REGARDING HIS PENDING INSTALMENTS OF LOAN AND ITS INTEREST, PENAL INTEREST.

EXT. R2 (b) : THE TRUE PHOTO COPIES OF THE FULL DETAILS OF HIS LOAN ACCOUNT.

EXT R2(c) : THE TRUE PHOTO COPY OF THE D.D. OF INDIAN OVERSEAS BANK, KATTAPANA RETURNED TO THE PETITIONER.

EXT. R2 (d) : THE TRUE PHOTO COPY OF THE COVERING LETTER SEND BY THE PETITIONER'S COUNSEL DATED NIL.

K.M.JOSEPH, J.

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WP.(C) No.7034 of 2007

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Dated this the 9th day of August, 2007

JUDGMENT

Petitioner availed a loan. It was not repaid. Proceedings were initiated against the respondents.

2. Heard counsel for the respondents. Learned counsel for the respondents submits that if the petitioner pays a sum of Rs.42,661/- within a week from today, the matter can be closed and the title deeds of the petitioner can be released back to the petitioner.

Accordingly the writ petition is disposed of recording the submission of the learned counsel for the respondents. There will be a direction that if the petitioner pays a sum of Rs.42,661/- within one week from today, the title deeds of the property of the petitioner will be released to the petitioner without any delay.

(K.M. JOSEPH, JUDGE)

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